

1. The Consent Decree, in the form annexed hereto, is **APPROVED** and **ENTERED**, with the Court retaining jurisdiction over this matter for the purpose of enforcement of the Consent Decree;
2. The above-styled cause be and the same is hereby **DISMISSED** with prejudice; and
3. To the extent not otherwise disposed of herein, all pending motions are hereby **DENIED** or moot and the case is closed.

DONE AND ORDERED in Chambers at , San Jose, this 25th day of Nov., 2008.



United States District Judge
HARRY D. LEINENWEBER